

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Scott Enstad,

Plaintiff,

v.

Wells Fargo Bank, N.A.,

Defendant.

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Case No. \_\_\_\_\_

**Notice of Removal**

TO: Plaintiff and his attorneys, Andrew C. Walker and Bennett Hartz, Walker & Walker Law Offices, PLLC, 4356 Nicollet Avenue South, Minneapolis, MN 55409.

Under 28 U.S.C. § 1446, defendant Wells Fargo Bank, N.A. (hereinafter “Wells Fargo”), hereby gives notice of the removal of the above-entitled action to the United States District Court for the District of Minnesota, and in support of the Notice of Removal states as follows:

1. On or about December 21, 2018, Plaintiff commenced an action against Wells Fargo in Hennepin County District Court entitled *Scott Enstad v. Wells Fargo Bank, N.A.* (the “State Action”). A copy of the Complaint in the State Action is attached to this Notice of Removal.

2. Copies of all other process, pleadings, and orders served on Wells Fargo in the State Action, if any, are attached collectively to this Notice of Removal.

3. The United States District Court for the District of Minnesota has original jurisdiction over this action under 28 U.S.C. § 1331. The Court has federal-question jurisdiction under 28 U.S.C. § 1331 because Plaintiff alleges that Wells Fargo violated

the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227 *et seq.* *See Mims v. Arrow Financial Services, LLC*, 132 S. Ct. 740 (U.S. 2012) (holding that the TCPA’s permissive grant of jurisdiction to state courts does not deprive the U.S. District Courts of federal-question jurisdiction over private TCPA suits).

4. This Notice of Removal is filed within 30 days after service of the Summons and Complaint on Wells Fargo, on December 27, 2018.

5. The United States District Court for the District of Minnesota is the District Court for the district embracing the entire state of Minnesota, where the State Action is currently pending. *See* 28 U.S.C. § 103. Venue is therefore proper in this district under 28 U.S.C. § 1441(a).

6. Wells Fargo expressly reserves its right to raise all defenses and objections to Plaintiff’s claims after the action is removed to the above Court.

Dated: January 25, 2019

s/ Erin L. Hoffman  
Erin L. Hoffman  
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